

sion of her father, in consequence of a difference between complainant and said Charles B. Calvert as to the amount and value of said share.

That complainant's wife died on the 10th of January, 1845, leaving seven children, (who are named,) all minors, and that before her death she duly executed her will or appointment, by which she devised all her estate, including that vested in the trustees named in her marriage settlement, to complainant for life, with remainder in fee to her children, with power to complainant to make distribution among her children, as he might think just. That the trustees in the deed of the 11th of November, 1837, are, by the terms and true construction thereof, bound, but have failed, to raise, pay over and deliver to the trustees in the marriage settlement between complainant and his wife, her share of the moneys and effects of her maternal grandmother, to be disposed of according to the terms of her will or appointment.

The bill then makes the said children of complainant, and Robert E. Lee, Charles B. and George H. Calvert, defendants, and prays for a discovery of the marriage settlement between George Calvert and his wife, for an account of the moneys and effects of the maternal grandmother of complainant's wife, which, under said settlement and as surviving husband, came to the possession of said George Calvert for his lifetime, and which his representatives are bound to restore undiminished, or the value thereof, to his children ; that the trustee, in the marriage settlement between complainant and wife may be decreed to be entitled to her share of the said moneys and effects of her maternal grandmother, to be by them disposed of in conformity with her said will or appointment, and that the property covered by the deed of trust of the 11th of November, 1837, be sold for the payment of said share, or the value and amount thereof, and for further relief.

The answer of Charles B. Calvert, which was adopted by his co-defendant, George H. Calvert, admits the marriage of his parents, and of his sister to the complainant, and the issue thereof, and their survivorship as stated in the bill, that a mar-